

ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2010-0535
PAYMENT AGREEMENT BETWEEN
EDDIE DUANE SMITH TRUST
AND
THE CENTRAL VALLEY WATER BOARD

California Water Code section 13323, which governs the imposition of civil liability by the Central Valley Water Board, states, in relevant part, "[p]ayment shall be made not later than 30 days from the date on which the [Administrative Civil Liability] order is issued."

The Central Valley Water Board has the right to demand full payment of the penalty assessed in Administrative Civil Liability (ACL) Order R5-2010-0535 within 30 days of issuance of the Order. However, in order to facilitate settlement, the Central Valley Water Board will not take any action to collect the full amount within 30 days, provided that the Eddie Duane Smith Trust adheres to the provisions below:

1. The Eddie Duane Smith Trust agrees to pay the full civil liability of eleven thousand two hundred fifty dollars (\$11,250) assessed in ACL Order R5-2010-0535.
2. The liability shall be paid in twelve (12) payments of nine hundred thirty seven dollars and fifty cents (\$937.50). The first payment shall be made on 1 November 2010, with a payment due the first day of each month thereafter until the liability is paid in full.
3. The Eddie Duane Smith Trust shall submit payment by checks that contain a reference to ACL Order R5-2010-0535, and shall be made payable to the "State Water Pollution Cleanup and Abatement Account."
4. Checks shall be submitted so that they are received by the Central Valley Water Board on or before 5 p.m. on the dates listed above, and the checks shall be submitted to:

California Regional Water Quality Control Board, Central Valley Region
Attention Jeff Hannel
1685 E Street
Fresno, CA 93706

Should the Eddie Duane Smith Trust fail to adhere to the payment schedule outlined above, the Central Valley Water Board reserves the right to take any action permitted by law to collect the amount that remains outstanding.

Please sign the payment agreement and fax to this office at (559) 445-5910.

Eddie Duane Smith Trust

Date